INDEX

VOLUME 38

AUTHOR INDEX

ARTICLES

Aquaviva, Guido: *Subjects of International Law: A Power-Based Analysis* 345

Dammann, Jens: *A New Approach to Corporate Choice of Law* 51

Davidson, Caroline: *Tort au canadien: A Proposal for Canadian Tort Legislation on Gross Violations of Human Rights and Humanitarian Law* 1403

Greenhaw, Leigh Hunt and Michael H. Koby: *Constitutional Conversations and New Religious Movements: A Comparative Case Study* 615

Jensen, Eric Talbot: *The International Law of Environmental Warfare: Active and Passive Damage During Armed Conflict* 145

Katkin, Kenneth: *Communicative Breakdown? The Future of Global Connectivity After the Privatization on INTELSAT* 1323

Krishnan, Jay: *From the ALI to the ILI: The Efforts to Export an American Legal Institution* 1255

Lacey, Kathleen A, Barbara Crutchfield George and Clyde Stoltenberg: *Assessing the Deterrent Effect of the Sarbanes-Oxley Act's Certification Provisions: A Comparative Analysis Using the Foreign Corrupt Practices Act* 397

McDonald, Kevin M.: *Shifting Out of Neutral: A New Approach to Global Road Safety* 743

McInerney, Thomas F.: *Law and Development as Democratic Practice* 109

Pasqualucci, Jo M.: *Interim Measures in International Human Rights: Evolution and Harmonization* 1

Smith, George P.: *Human Rights and Bioethics: Formulating Universal Right to Health, Health Care or Health Protection?* 1295

Strauss, Debra M: *Enlisting the U.S. Courts in a New Front: Dismantling the International Business Holdings of Terrorist Groups Through Federal Statutory and Common-Law Suits* 679

Vorspan, Rachel: *Law and War: Individual Rights, Executive Authority, and Judicial Power in England During World War I* 397

ESSAY

The Honorable J. Clifford Wallace: *Improving Appellate Process Worldwide Through Maximizing Judicial Resources* 187

NOTES

Brim, Danielle: *The Roles of Precaution and Political Accountability in the Regulation of Polybrominated Diphenyl Ethers* 791

Clausen, Hans C.: *The "Privilege of Speech" in a "Pleasantly Authoritarian Country": How Canada's Judiciary Allowed Laws Proscribing Discourse Critical of Homosexuality to Trump Free Speech and Religious Liberty* 443

Estaver, Aron J.: *Dangerous Criminals or Dangerous Courts: Foreign Felonies as Predicate Offenses Under Section 922(g)(1) of the Gun Control Act of 1968* 215

Fease, Jennifer D.: *The Importation of Sexism: A Cost-Benefit Approach to the U.S.- South Korea Friendship, Commerce, and Navigation Treaty* 825

French, Taylor W.: *Free Trade and Illegal Drugs: Will NAFTA Transform the United States Into the Netherlands?* 501

Larson, Eric Thomas: *Why Environmental Liability Regimes in the United States, the European Community, and Japan Have Grown Synonymous With the Polluter Pays Principle* 541

Manhoff, Alison Wood: *Banned and Enforced: The Immediate Answer to a Problem Without an Immediate Solution – How India Can Prevent Another Generation of "Missing Girls"* 889

Moore, Ashley: *Endangered Species: Examining South Africa's National Rape Crisis and its Legislative Attempt to Protect its Most Vulnerable Citizens* 1469

Nick, Matthew: *Rethinking Multinational Corporate Governance in Extractive Industries: The Caspian Development Project and the Promise of Cooperative Governance* 577

Spitz, Lauren M.: *Implementing the U.N. Convention on the Rights of the Child: Children's Rights Under the 1996 South African Constitution* 853

Winters, Raven: *Preventing Repeat Offenders: North Korea's Withdrawal and the Need for Revisions to the Nuclear Non-Proliferation Treaty* 1499

SYMPOSIUM

Brodie, Neil: *Historical and Social Perspectives on the Regulation of the International Trade in Archeological Objects: The Examples of Greece and India* 1051

Burris, Donald S. and E. Randol Schoenberg: *Reflections on Litigating Holocaust Stolen Art Cases* 1041

Jayme, Erik: *Globalization in Art Law: Clash of Interests and International Tendencies* 927

Kowalski, W. W.: *A Comparative Law Analysis of the Retained Rights of Artists* 1141

Kreder, Jennifer Anglim: *The Choice between Civil and Criminal Remedies in Stolen Art Litigation* 1199

Palmer, Norman: *Adrift on a Sea of Troubles: Cross Border Art Loans and the Specter of Ulterior Title* . 947

Sax, Joseph L.: *Imaginatively Public: The English Experience of Art as Heritage Property* 1097

Siehr, Kurt: *Globalization and National Culture: Recent Trends Toward a Liberal Exchange of Cultural Objects* 1067

Symeonides, Symeon C.: *A Choice-of-Law Rule for Conflicts Involving Stolen Cultural Property* 1177

Weller, Matthias: *Immunity for Artworks on Loan? A Review of International Customary Law and Municipal Anti-seizure Statutes in Light of the* Liechtenstein *Litigation* 997

TITLE INDEX

ARTICLES

From the ALI to the ILI: The Efforts to Export an American Legal Institution
Jay Krishnan 1255

Assessing the Deterrent Effect of the Sarbanes-Oxley Act's Certification Provisions: A Comparative Analysis Using the Foreign Corrupt Practices Act
Kathleen A. Lacey
Barbara Crutchfield George
Clyde Stoltenberg 397

Communication Breakdown? The Future of Global Connectivity After the Privatization of INTELSAT
Kenneth Katkin 1323

Constitutional Conversations and New Religious Movements: A Comarative Case Study
Leigh Hunt Greenhaw
Michael H. Koby 615

Enlisting the U.S. Courts in a New Front: Dismantling the International Business Holdings of Terrorist Groups Through Federal Statutory and Common-Law Suits
Debra M. Strauss 679

Human Rights and Bioethics: Formulating a Universal Right to Health, Health Care, or Health Protection?
George P. Smith 1295

Interim Measures in International Human Rights: Evolution and Harmonization
Jo M. Pasqualucci 1

The International Law of Environmental Warfare: Active and Passive Damage During Armed Conflict
Eric Talbot Jensen 145

Law and Development as Democratic Practice
Thomas F. McInerney 109

Law and War: Individual Rights, Executive Authority, and Judicial Power in England During World War I.
Rachel Vorspan 397

A New Approach to Corporate Choice of Law
Jens Dammann 51

Shifting Out of Neutral: A New Approach to Global Road Safety
Kevin M. McDonald 743

Tort au canadien: A Proposal for Canadian Tort Legislation on Gross Violations of International Human Rights and Humanitarian Law
Caroline Davidson 1403

ESSAY

Improving Appellate Process Worldwide Through Maximizing Judicial Resources
The Honorable J. Clifford Wallace 187

NOTES

Banned and Enforced: The Immediate Answer to a Problem Without an Immediate Solution – How India Can Prevent Another Generation of "Missing Girls"
Allison Wood Manhoff 889

Dangerous Criminals or Dangerous Courts: Foreign Felonies as Predicate Offenses Under Section 922(g)(1) of the Gun Control Act of 1968
Aron J. Estaver 215

Endangered Species: Examining South Africa's National Rape Crisis and its Legislative Attempt to Protect its Most Vulnerable Citizens
Ashley Moore 1469

Why Environmental Liability Regimes in the United States, the European Community, and Japan Have Grown Synonymous With the Polluter Pays Principle
Eric T. Larson 541

Free Trade and Illegal Drugs: Will NAFTA Transform the United States Into the Netherlands?
Taylor W. French 501

Implementing the U.N Convention on the Rights of the Child: Children's Rights Under the 1996 South African Constitution
Lauren M. Spitz 853

The Importation of Sexism: A Cost-Benefit Approach to the U.S.-South Korea Friendship, Commerce, and Navigation Treaty
Jennifer D. Fease 825

Preventing Repeat Offenders: North Korea's Withdrawal and the Need for Revisions to the Nuclear Non-Proliferation Treaty
Raven Winters 1499

"Privilege of Speech" in a "Pleasantly Authoritarian Country": How Canada's Judiciary Allowed Laws Proscribing Discourse Critical of Homosexuality to Trump Free Speech and Religious Liberty
Hans C. Clausen 443

Rethinking Multinational Corporate Governance in Extractive Industries: The Caspian Development Project and the Promise of Cooperative Governance
Matthew Nick 577

The Roles of Precaution and Political Accountability in the Regulation of Polybrominated Diphenyl Ethers
Danielle Brim 791

SYMPOSIUM

Adrift on a Sea of Troubles: Cross-Border Art Loans and the Specter of Ulterior Title
Norman Palmer 947

The Choice between Civil and Criminal Remedies in Stolen Art Litigation
Jennifer Anglim Kreder 1199

A Choice-of-Law Rule for Conflicts Involving Stolen Cultural Property
Symeon Symeonides 1177

A Comparative Law Analysis of the Retained Rights of Artists
W.W. Kowalski 1141

Globalization in Art Law: Clash of Interests and International Tendencies
Erik Jayme 927

Globalization and National Culture: Recent Trends Toward a Liberal Exchange of Cultural Objects
Kurt Siehr 1067

Historical and Social Perspectives on the Regulation of the International Trade in Archeological Objects: The Examples of Greece and India
Neil Brodie 1051

Imaginatively Public: The English Experience of Art as Heritage Property
Joseph Sax 1097

Immunity for Artworks on Loan? A Review of International Customary Law and Municipal Anti-seizure Statutes in Light of the *Liechtenstein* Litigation
Matthias Weller 997

Reflections on Litigating Holocaust Stolen Art Cases
Donald S. Burris
E. Randol Schoenberg 1041

SUBJECT MATTER INDEX

AMERICAN LAW INSTITUTE
From the ALI to the ILI: The Efforts to Export an American Legal Institution
Krishnan, Jay 1255

APPELLATE PRACTICE
Improving the Appellate Process Worldwide Through Maximizing Judicial Resources
The Honorable J. Clifford Wallace 187

ART LAW
Adrift on a Sea of Troubles: Cross-Border Art Loans and the Specter of Ulterior Title
Norman Palmer 947

The Choice between Civil and Criminal Remedies in Stolen Art Litigation
Jennifer Anglim Kreder 1199

A Choice-of-Law Rule for Conflicts Involving Stolen Cultural Property
Symeon Symeonides 1177

A Comparative Law Analysis of the Retained Rights of Artists
W.W. Kowalski 1141

Globalization in Art Law: Clash of Interests and International Tendencies
Erik Jayme 927

Globalization and National Culture: Recent Trends Toward a Liberal Exchange of Cultural Objects
Kurt Siehr 1067

Historical and Social Perspectives on the Regulation of the International Trade in Archeological Objects: The Examples of Greece and India
Neil Brodie 1051

Imaginatively Public: The English Experience of Art as Heritage Property
Joseph Sax 1097

Immunity for Artworks on Loan? A Review of International Customary Law and Municipal Anti-seizure Statutes in Light of the *Liechtenstein* Litigation
Matthias Weller 997

Reflections on Litigating Holocaust Stolen Art Cases
Donald S. Burris
E. Randol Schoenberg 1041

AUTOMOBILES

Shifting out of Neutral: A New Approach to Global Road Safety
Kevin M. McDonald 743

BIOETHICS

Human Rights and Bioethics: Formulating a Universal Right to Health, Health Care, or Health Protection?
George P. Smith 1295

CANADA

The "Privilege of Speech" in a "Pleasantly Authoritarian County": How Canada's Judiciary Allowed Law Proscribing Discourse Critical of Homosexuality to Trump Free Speech and Religious Liberty
Hans C. Clausen 443

Tort au canadien: A Proposal for Canadian Tort Legislation on Gross Violations of International Human Rights and Humanitarian Law
Caroline Davidson 1403

CASPIAN STATES

Rethinking Multinational Corporate Governance in Extractive Industries: The Caspian Development Project and the Promise of Corporate Governance
Matthew Nick 577

CHILDREN

Banned and Enforced: The Immediate Answer to a Problem Without an Immediate Solution–How India Can Prevent Another Generation of "Missing Girls"
Alison Wood Manhoff 889

Implementing the U.N. Convention on the Rights of the Child: Children's Rights Under the 1996 South African Constitution
Lauren M. Spitz 853

CHOICE OF LAW

A Choice of Law Rule for Conflicts Involving Stolen Cultural Property
Symeon C. Symeonides 1177

A New Approach to Corporate Choice of Law
Jens Dammann 51

COMPARATIVE LAW

The Choice between Civil and Criminal Remedies in Stolen Art Litigation
Jennifer Anglim Kreder 1199

A Comparative Law Analysis of the Retained Rights of Artists
W. W. Kowalski 1141

CONSTITUTIONAL LAW

Constitutional Conversations and New Religious Movements: A Comparative Case Study
Michael H. Koby 615

Implementing the U.N. Convention on the Rights of the Child: Children's Rights Under the 1996 South African Constitution
Lauren M. Spitz 853

The "Privilege of Speech" in a "Pleasantly Authoritarian County": How Canada's Judiciary Allowed Law Proscribing Discourse Critical of Homosexuality to Trump Free Speech and Religious Liberty
Hans C. Clausen 443

CONTROLLED SUBSTANCES
Free Trade and Illegal Drugs: Will NAFTA Transform the United States Into the Netherlands?
Taylor W. French 501

CORPORATE LAW
Assessing the Deterrent Effect of the Sarbanes Oxley Act's Certification Provisions: A Comparative Analysis Using the Foreign Corrupt Practices Act
Kathleen A. Lacey
Barbara Crutchfield George
Clyde Stoltenberg 397

A New Approach to Corporate Choice of Law
Jens Dammann 51

Rethinking Multinational Corporate Governance in Extractive Industries: The Caspian Development Project and the Promise of Corporate Governance
Matthew Nick 577

CRIMINAL LAW
The Choice between Civil and Criminal Remedies in Stolen Art Litigation
Jennifer Anglim Kreder 1199

A Choice of Law Rule for Conflicts Involving Stolen Cultural Property
Symeon C. Symeonides 1177

DEMOCRACY
Law and Development as Democratic Practice
Thomas F. McInerney 109

ENGLAND
Imaginatively Public: The English Experience of Art as Heritage Property
Joseph L. Sax 1097

Law and War: Individual Rights, Executive Authority, and Judicial Power in England During World War I
Rachel Vorspan 261

ENVIRONMENTAL LAW

Why Environmental Liability Regimes in the United States, the European Community, and Japan Have Grown Synonymous with the Polluter Pays Principle
Eric T. Larson 541

The International Law of Environmental Warfare: Active and Passive Damage During Armed Conflict
Eric Talbot Jensen 145

The Roles of Precaution and Political Accountability in the Regulation of Polybrominated Diphenyl Ethers
Danielle Brim 791

EUROPEAN COMMUNITY

Why Environmental Liability Regimes in the United States, the European Community, and Japan Have Grown Synonymous with the Polluter Pays Principle
Eric T. Larson 541

FREE SPEECH

The "Privilege of Speech" in a "Pleasantly Authoritarian County": How Canada's Judiciary Allowed Law Proscribing Discourse Critical of Homosexuality to Trump Free Speech and Religious Liberty
Hans C. Clausen 443

FOREIGN CORRUPT PRACTICES ACT

Assessing the Deterrent Effect of the Sarbanes Oxley Act's Certification Provisions: A Comparative Analysis Using the Foreign Corrupt Practices Act
Kathleen A. Lacey
Barbara Crutchfield George
Clyde Stoltenberg 397

GREECE

Historical and Social Perspectives on the Regulation of the International Trade in Archeological Objects: The Examples of Greece and India
Neil Brodie 1051

GUN CONTROL
Dangerous Criminals of Dangerous Courts: Foreign Felonies as Predicate Offenses Under Section 922(g)(1) of the Gun Control Act of 1968
Aron J. Estaver 215

HEALTH CARE
Human Rights and Bioethics: Formulating a Universal Right to Health, Health Care, or Health Protection?
George P. Smith 1295

HOLOCAUST
Reflections on Litigating Holocaust Stolen Art Cases
Donald S. Burris
E. Randol Schoenberg 1041

HOMOSEXUALITY
The "Privilege of Speech" in a "Pleasantly Authoritarian County": How Canada's Judiciary Allowed Law Proscribing Discourse Critical of Homosexuality to Trump Free Speech and Religious Liberty
Hans C. Clausen 443

HUMAN RIGHTS
Human Rights and Bioethics: Formulating a Universal Right to Health, Health Care, or Health Protection?
George P. Smith 1295

Interim Measures in International Human Rights Evolution and Harmonization
Jo M. Pasqualucci 1

Tort au canadien: A Proposal for Canadian Tort Legislation on Gross Violations of International Human Rights and Humanitarian Law
Caroline Davidson 1403

INDIA
Banned and Enforced: The Immediate Answer to a Problem Without an Immediate Solution–How India Can Prevent Another Generation of "Missing Girls"
Alison Wood Manhoff 889

Historical and Social Perspectives on the Regulation of the International Trade in Archeological Objects: The Examples of Greece and India
Neil Brodie 1051

INTELLECTUAL PROPERTY
A Choice of Law Rule for Conflicts Involving Stolen Cultural Property
Symeon C. Symeonides 1177

A Comparative Law Analysis of the Retained Rights of Artists
W. W. Kowalski 1141

INTERNATIONAL CUSTOMARY LAW
Globalization in Art Law: Clash of Interests and International Tendencies
Erik Jayme 927

JAPAN
Why Environmental Liability Regimes in the United States, the European Community, and Japan Have Grown Synonymous with the Polluter Pays Principle
Eric T. Larson 541

LICHTENSTEIN
Immunity for Artworks on Loan? A Review of International Customary Law and Municipal Anti-seizure Statutes in Light of the *Lichtenstein* Litigation
Mattias Weller 1041

NAFTA
Free Trade and Illegal Drugs: Will NAFTA Transform the United States Into the Netherlands?
Taylor W. French 501

NETHERLANDS
Free Trade and Illegal Drugs: Will NAFTA Transform the United States Into the Netherlands?
Taylor W. French 501

NORTH KOREA
Preventing Repeat Offenders: North Korea's Withdrawal and the Need for Revisions to the Nuclear Non-Proliferation Treaty
Raven Winters 1499

NUCLEAR WEAPONS
Preventing Repeat Offenders: North Korea's Withdrawal and the Need for Revisions to the Nuclear Non-Proliferation Treaty
Raven Winters 1499

PROPERTY
Adrift on a Sea of Troubles: Cross-Border Art Loans and the Specter of Ulterior Title
Norman Palmer 947

The Choice between Civil and Criminal Remedies in Stolen Art Litigation
Jennifer Anglim Kreder 1199

A Choice of Law Rule for Conflicts Involving Stolen Cultural Property
Symeon C. Symeonides 1177

Imaginatively Public: The English Experience of Art as Heritage Property
Joseph L. Sax 1097

RUSSIA
Constitutional Conversations and New Religious Movements: A Comparative Case Study
Michael H. Koby 615

SARBANES OXLEY ACT
Assessing the Deterrent Effect of the Sarbanes Oxley Act's Certification Provisions: A Comparative Analysis Using the Foreign Corrupt Practices Act
Kathleen A. Lacey
Barbara Crutchfield George
Clyde Stoltenberg 397

SOUTH AFRICA
Endangered Species: Examining South Africa's National Rape Crisis and its Legislative Attempt to Protect its Most Vulnerable Citizens
Ashley Moore 1469

Implementing the U.N. Convention on the Rights of the Child: Children's Rights Under the 1996 South African Constitution
Lauren M. Spitz 853

SOUTH KOREA
The Importation of Sexism: A Cost-Benefit Approach to the U.S.-South Korea Friendship, Commerce and Navigation Treaty
Jennifer D. Fease 825

SOVEREIGNTY
Subjects of International Law: A Power-Based Analysis
Guido Acquaviva 345

SPAIN
Constitutional Conversations and New Religious Movements: A Comparative Case Study
Michael H. Koby 615

TECHNOLOGY
Communication Breakdown? The Future of Global Connectivity After the Privatization of INTELSAT
Kenneth Katkin 1323

Terrorism
Enlisting the U.S. Courts in a New Front: Dismantling the International Business Holdings of Terrorist Groups Through Federal Statutory and Common Law Suits
Debra M. Strauss 679

TORT LAW

Tort au canadien: A Proposal for Canadian Tort Legislation on Gross Violations of International Human Rights and Humanitarian Law
Caroline Davidson 1403

UNITED NATIONS

Implementing the U.N. Convention on the Rights of the Child: Children's Rights Under the 1996 South African Constitution
Lauren M. Spitz 853

WARTIME

The International Law of Environmental Warfare: Active and Passive Damage During Armed Conflict
Eric Talbot Jensen 145

Law and War: Individual Rights, Executive Authority, and Judicial Power in England During World War I
Rachel Vorspan 261

WOMEN

Banned and Enforced: The Immediate Answer to a Problem Without an Immediate Solution–How India Can Prevent Another Generation of "Missing Girls"
Alison Wood Manhoff 889

Endangered Species: Examining South Africa's National Rape Crisis and its Legislative Attempt to Protect its Most Vulnerable Citizens
Ashley Moore 1469

The Importation of Sexism: A Cost-Benefit Approach to the U.S.-South Korea Friendship, Commerce and Navigation Treaty
Jennifer D. Fease 825

***